



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, February 12, 2013 at 9:00 A.M.

The Clay County Board of Supervisors met February 12, 2013 as per public notice given in the Clay County News on February 6, 2013 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held January 29, 2013 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Ivan Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Shaw and seconded by Johnson to approve the minutes of the meeting held January 29, 2013 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

There was no public comment.

Thomas Roemmich II, Highway Superintendent, reported that they were cutting trees and servicing equipment. Two easements were presented.

Motion by Samuelson and seconded by Anderson to approve the easement requested by Stanley Koehler for an electric line across Road N from the NE ¼ Sec. 12-T7N-R7W to NW ¼ Sec. 7-T7N-R6W for electricity to run a pivot – agricultural use only. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Motion by Samuelson and seconded by Nuss to approve the easement requested by Brent Epp, Jon Nachtigal owner, for an electric line across Road 318 from the SW ¼ Sec. 6-T7N-R7W to NW ¼ Sec. 7-T7N-R7W for electric wiring for irrigation — agricultural use only. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried

Motion by Schmidt and seconded by Samuelson to open the One & Six Year Road Plan public hearing at 9:15 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

There were no written or oral comments, suggestions or objections received.

Tom told the board the only change he had from the last meeting was that he added project 268 to replace a bridge with culverts on Road 317. Tom will have new maps ready for the board by the next meeting.

The asphalt bids were opened at 9:30 A.M. Representatives from Vontz Paving and Werner Construction and Kirkham Michael were also present. The total bid from Vontz



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was \$6,496,232.45. The total bid from Werner was \$6,295,659.82. Brendan Lilley from Kirkham Michael took the bids to review them and make sure there were no errors in the computations.

Motion by Johnson and seconded by Samuelson to close the One & Six Year Road Plan hearing at 10:15 A.M. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Motion by Schmidt and seconded by Samuelson to table the asphalt bids until February 26, 2013 at 9:10 A.M. On roll call, yea: Nuss, Samuelson, Schmidt, Johnson, Shaw and Fintel; Anderson stepped out. Motion carried.

Motion by Shaw and seconded by Nuss to approve the 1 & 6 Year Road plan as presented by Thomas Roemmich II, Highway Superintendent, and adopt Resolution #13-01. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

RESOLUTION #13-01

WHEREAS: The Clay County Board of Supervisors met February 12, 2013, at 9:15 A.M. for a public hearing in the Clay County Courthouse, Clay Center, Nebraska to consider the County One and Six Year Road Plan, as prepared by Thomas Roemmich II,

WHEREAS: No public interest and/or suggestion was heard at the public hearing on February 12, 2013, therefore,

BE IT RESOLVED by the Clay County Board of Supervisors, that the One and Six Year Road Plan as prepared and presented by Thomas Roemmich II, Clay County Highway Superintendent, is hereby adopted.

Passed and approved this 12th day of February, 2013.

ATTEST: /s/ Deborah Karnatz, County Clerk

CLAY COUNTY BOARD OF SUPERVISORS: /s/ Ivan Fintel Board Chairman

At 10:30 A.M. the bids for a pickup for the Weed Department were opened. One bid was received from: Friesen Chevrolet, Inc. for \$24,800.00. Because the Weed Supt. was not able to be present, no decision was made.

Motion by Shaw and seconded by Schmidt to table the pickup bid until February 19, 2013 at 10:00 A.M. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Linda Whiting, County Assessor reported on deadlines and explained the way the ag land valuations were arrived at.

Janis Johnson, Director of the Clay County Health Department presented the Quarterly report for October through December and discussed the mid year statistics for the Health Department. Janis told the board she would like to stay on until the new director was hired so that she could help with their orientation. She also said she would continue as part time and be on call after the new director is hired. The board will



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discuss with the County Attorney if and how this will work after the March 1st resignation date.

Josh Andersen, as a member of the board's advisory committee, was present for discussion of LB482. Josh showed the board an amendment to that bill that he had just received. The purpose of the bill and how it could affect the county were discussed.

Motion by Anderson and seconded by Shaw to declare that the Clay County Board authorizes Josh Andersen, as a member of the Clay County Advisory Committee, to testify in support of LB482 on Clay County's behalf. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Ted Griess, County Attorney presented a claim for and an agreement with Lancaster County for holding youth. Ted explained that the county rarely has juveniles in Lancaster County. He advised the board that the claim should be approved; he will submit the claim by the claim deadline next week. Ted also explained the agreement that was received from Lancaster County.

Motion by Nuss and seconded by Johnson to sign the Detention Services Agreement between Clay County and Lancaster County, acting on behalf of Lancaster County Youth Services Center for safekeeping of youth. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

The board discussed LB451 with Ted. Ted told the board that he didn't see anything in particular that is wrong for the Board to take a stand on the LB; it was an issue of whether the state can actually do anything and whether it is worth the Boards time to take a position.

The board also asked Ted about the Health Director staying on after the resignation date. Ted will talk to her to get a better understanding and discuss this with the board next week.

The Lease for the Marshall Township farm has been signed and returned for board approval. Motion by Anderson and seconded by Nuss to authorize the chairman to sign the Lease between Lorraine Hofmann and Bradley Hofmann and Clay County for lease of the E ½ of Section Five (5), Township Six (6) North, Range Six (6), West of the 6th P.M. for crop years 2013, 2014 and 2015. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

The fee reports were circulated for review. Motion by Shaw and seconded by Schmidt to accept the fee reports for the following county officials for the month of January 2013: County Clerk, \$13,274.10, County Court \$7,653.24, Clerk of District Court, \$8,401.55, County Sheriff for the month of December 2012 \$2,443.23 and County Treasurer receipts #13010001 thru #13010039 in the amount of \$680,889.09. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Supervisor Samuelson reported that there is a building in Trumbull where the Communications Truck can be stored for \$50.00 a month. This has been discussed with Loren.



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Motion by Johnson and seconded by Samuelson to rent a spot in Larry Rouse's building in Trumbull for \$50.00 a month to house the Communications Truck. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Samuelson left the meeting at 12:30 P.M.

The County Clerk explained that the state had contacted her again wanting information on the equipment that is using the states network. Because of the technical nature of the process, the Clerk asked Ken Spray to assist in determining what the state actually needs the county to do. Ken was asked because he was involved in the original process of converting from the states network to a county network. At this point Ken has donated considerable time talking to the state and researching what needs to be done. If the board chooses to move forward with him, Ken will need to have the cooperation of all county offices, not just those located in the courthouse, in order to report to the state and get the networking problems solved. Ken would work through each office to consider every aspect of compliance with the plan and would update the board and the department heads as he goes. Any decisions would be made by the board before going forward with any cable or equipment changes. Because of his knowledge and working relationship with the state, the board consensus was to have Ken continue with the work.

Motion by Schmidt and seconded by Anderson to authorize Ken Spray to proceed with the county networking project in order for Clay County to be in compliance with the state. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel; absent: Samuelson. Motion carried.

The last Interlocal Agreement has been received from Lewis Township and was signed by the chairman.

Motion by Johnson and seconded by Nuss to adjourn this meeting at 12:59 P.M.; next meeting scheduled for February 19, 2013. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Anderson and Fintel; absent: Samuelson. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman